

# Chapter Eighteen

## TRANSPORTATION ENHANCEMENTS

BUREAU OF DESIGN AND ENVIRONMENT MANUAL



**Chapter Eighteen**  
**TRANSPORTATION ENHANCEMENTS**

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# CHAPTER EIGHTEEN

## TRANSPORTATION ENHANCEMENTS

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) established a program to set aside 10% of Surface Transportation Program funds for projects that serve to enhance the transportation system. This program was later reaffirmed in the Transportation Efficiency Act for the 21<sup>st</sup> Century (TEA-21). To allocate these funds to the benefit of the overall transportation system, Illinois created and implemented the Illinois Transportation Enhancement Program (ITEP). The program allows stand-alone ITEP projects that improve the accessibility of the transportation system to a broader range of users and various types of improvements that serve to enhance the aesthetic or functional value of the transportation system.

### 18-1 ELIGIBLE ITEP PROJECTS

Consider the following excerpt from 23 USC §101(a), as amended by TEA-21, when determining the eligibility of a project for ITEP:

*“the term ‘transportation enhancement activities’ means, with respect to any project or the area to be served by the project, any of the following activities if such activity relates to surface transportation: provision of facilities for pedestrians and bicycles, provision of safety and educational activities for pedestrians and bicyclists, acquisition of scenic easements and scenic or historic sites, scenic or historic highway programs (including the provision of tourist and welcome center facilities), landscaping and other scenic beautification, historic preservation, rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals), preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails), control and removal of outdoor advertising, archaeological planning and research, environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity, and establishment of transportation museums.”*

Enhancement projects are activities that are over and above routine construction or maintenance. For example, on a highway construction project, enhancement funds could only be used on those elements of the project that were considered *beyond* typical highway improvements. Our policy requires the safe accommodation of pedestrians and bicyclists be given full consideration on all transportation projects. Thus, for new construction and reconstruction projects, routine provisions for bicyclists and pedestrians such as sidewalks, curb ramps, bike lanes, wide curb lanes and shoulders on rural roads, are not considered to be

“enhancements” since IDOT policy (as in Chapter 17) requires their provision as part of addressing the functional and safety needs of the transportation corridor improvement.

Similar improvements to improve bike and pedestrian access or safety may, however, be eligible when they are retrofitted to existing roadway corridors and are *independent* of new highway construction or rehabilitation projects.

The following are the specific project categories for the Illinois Transportation Enhancement Program. Detailed eligibility criteria are shown in the latest edition of the *Illinois Transportation Enhancement Program Guidelines and Application*, available from the IDOT Transportation Enhancement Program Coordinator in the Central Office (OPP) or district, or from IDOT’s internet site ([www.dot.state.il.us](http://www.dot.state.il.us)).

1. Provision of facilities for pedestrians and bicycles
2. Scenic or historic highway programs (including the provision of tourist and welcome center facilities)
3. Landscaping and other scenic beautification
4. Historic preservation
5. Rehabilitation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals)
6. Provision of safety and educational activities for pedestrians and bicyclists
7. Acquisition of scenic easements and scenic or historic sites
8. Preservation of abandoned railway corridors for the conversion and use thereof for pedestrian and bicycle trails (acquisition of corridors)
9. Control and removal of outdoor advertising
10. Establishment of transportation museums

Projects that require the acquisition of land are funded at 50% ITEP, 50% local match. Other eligible expenses are funded at an 80/20 match.

## **18-2 ITEP PROJECT APPLICATION, REVIEW AND APPROVAL**

### **18-2.01 Application Review and Approval Process**

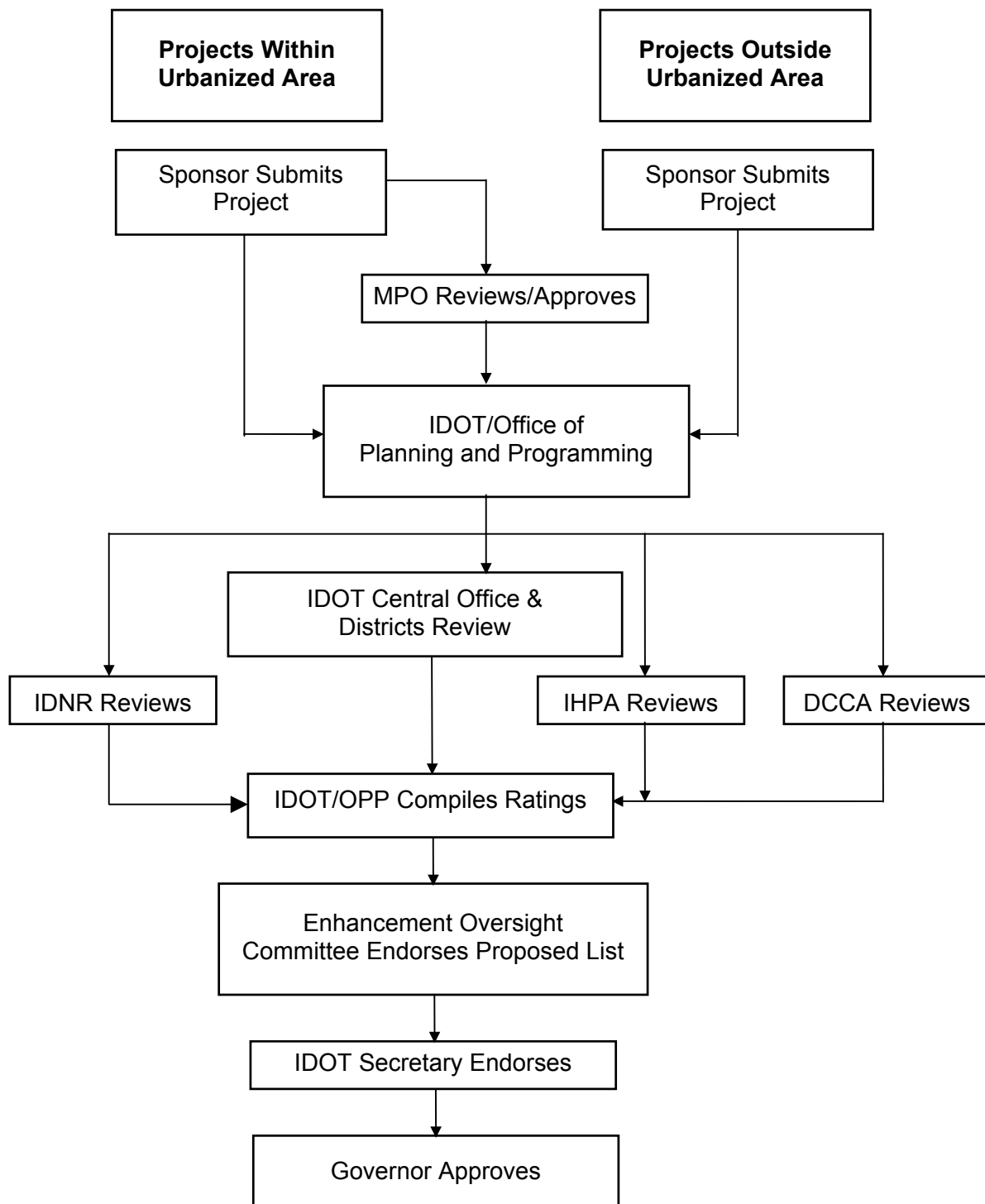
The ITEP is based on a cooperative working arrangement among the Department, the Metropolitan Planning Organizations (MPOs), the Illinois Department of Natural Resources (IDNR), the Department of Commerce and Community Affairs (DCCA), and the Illinois Historic Preservation Agency (IHPA). The Department manages all aspects of ITEP and coordinates project evaluation with the appropriate agencies. The flowchart presented in Figure 18-2A illustrates the ITEP Project Review and Approval Process. The following paragraphs briefly describe the major steps of this process:

1. Projects Within Urbanized Areas. For projects within urbanized areas with populations over 50,000, the MPOs play a primary role in the process, which includes public involvement activities. The MPOs serve as clearinghouses and monitoring agencies for proposed ITEP projects in their respective urbanized areas. The Sponsor (see Section 18-3.01) submits candidate ITEP projects to the Department's Enhancement Program Coordinator in the Office of Planning and Programming (OPP), and the appropriate MPO. Contact these agencies if unsure whether or not a particular project's area is included within an MPO boundary. The MPOs review projects to ensure consistency with regional transportation plans, policies and programs. The sponsor is ultimately responsible for ensuring that approved projects within an MPO area are included in the most current Transportation Improvement Program.
2. Projects Outside Urbanized Areas. In non-urbanized areas, the local or State agency Sponsor is responsible for nominating and submitting its candidate ITEP projects directly to the Enhancement Program Coordinator. See Section 18-3.01 for additional information on qualified Sponsors.
3. Cooperative Review. Upon receipt of the ITEP Project Application Forms, the Enhancement Program Coordinator in the Central Office compiles the information and coordinates all project review and evaluation. The Central Office and the respective district review all candidate projects. Bicycle and pedestrian projects are additionally reviewed by IDNR. Historic preservation projects are also reviewed by IHPA. Projects that may have economic development or tourism benefits are reviewed by DCCA. These agencies will submit their recommendations to the Enhancement Program Coordinator.
4. Project Selection. The projects are evaluated and a prioritized list is developed based on available funding and project merit according to the evaluation and ranking criteria summarized in Section 18-2.02. The prioritized list of ITEP projects then is forwarded to the Enhancement Oversight Committee for review and approval.
5. Enhancement Oversight Committee Recommendation. An Enhancement Oversight Committee, consisting of representatives from IDNR, IHPA, DCCA, and IDOT, reviews

and forwards a final list of ITEP projects for endorsement by the IDOT Secretary of Transportation.

6. IDOT Secretary of Transportation Endorsement. The Secretary of Transportation reviews the recommended list of ITEP projects and forwards an endorsed list of ITEP projects to the Governor for final approval.
7. Governor Approval. Upon receipt of an endorsement from the Secretary of Transportation, the Governor reviews the final list of ITEP projects for selection and announcement. Final approval rests with the Governor.
8. Project Notification. The OPP publishes a program document which lists approved projects. Ineligible or unsuccessful project sponsors are also notified of the reasons for non-selection. Unsuccessful projects may be resubmitted for consideration during the next submittal period.



**ITEP PROJECT APPLICATION REVIEW AND APPROVAL PROCESS****Figure 18-2A**

**18-2.02 Evaluation and Ranking Criteria**

Projects are evaluated and ranked according to their ability to enhance the existing or historic transportation system. In general, projects are evaluated on a broad range of elements, such as their inclusion in a local or regional plan, their environmental and social impacts, predicted usage, relationship to active and/or inactive transportation facilities, their historical significance, etc. Guidelines for the current year are available as noted in Section 18-1.

Projects proposed by the Department, IDNR, DCCA, and IHPA, either as part of planned transportation improvements or as independent projects, will be coordinated with the affected State agencies and MPOs and will be included together with locally sponsored projects to arrive at the final ITEP project list.

Proposed ITEP projects should have concurrence by all associated agency officials at the time of nomination. A re-submission will be accepted for consideration in a future evaluation cycle.

### 18-3 SPONSORING AN ITEP PROJECT

#### 18-3.01 Qualified Sponsors

All ITEP projects must be sponsored by a State, federal or local government agency (i.e., a unit of government with the authority to levy taxes). District offices or other Department divisions may submit projects for consideration. Not-for-profit agencies may co-sponsor projects with governmental entities.

#### 18-3.02 Sponsor Responsibilities

The Sponsor of an ITEP project is responsible for the following:

1. Project Application, Preparation and Submittal. The Sponsor must complete the application form provided in the latest edition of the ITEP guidelines referenced in Section 18-1. Projects must be submitted to the appropriate MPO or Central Office as defined in Section 18-2.01 or the latest guidelines referenced above.
2. Funding Obligations and Costs. If the project is approved for ITEP funding, the Sponsor is responsible for providing the non-Federal matching funds (generally 20%, or 50% for right-of-way acquisition). The Sponsor also is responsible for providing the appropriate backup data and documentation on the project to satisfy the Department's and Federal audit procedures. Section 18-3.03 provides additional information on project funding.
3. Agreement for Federal Participation. Upon approval of *State agency* (other than Department) projects, BDE will execute an interagency agreement with the Sponsor to delineate respective financial and implementation responsibilities. Upon approval of a *local government* sponsored project, the Bureau of Local Roads and Streets (BLRS) in the respective IDOT district office will execute a local agency agreement with the local sponsor.
4. Right-of-Way. Illinois statutes restrict ITEP construction projects to publicly owned property, permanent easements or, in limited cases, 20-year leases. Agreements with sponsoring agencies that provide for reimbursement of ITEP funds may be required where sufficient ownership interest is not feasible or possible.
5. Project Schedule. The Sponsor is responsible for developing a schedule that identifies the anticipated completion dates for preliminary engineering, land acquisition, environmental clearances, utility adjustments, and construction.
6. Environmental Responsibilities. Environmental assessments, clearances, and mitigation activities that are related to projects intended for an IDOT letting shall be accomplished in accordance with established IDOT procedures during Phase I of the project. All projects, including those intended for a Capital Development Board (CDB) letting, must

address any necessary environmental studies, ensuring that all necessary intergovernmental agreements are executed, acquiring environmental sign-offs by appropriate Federal, State, and local agency(ies), and obtaining all required permits (e.g., EPA, 404). All State agency sponsored projects must be presented by the project Sponsor at an FHWA coordination meeting early in Phase I engineering to determine appropriate environmental category processing. All sign-offs must be accomplished prior to FHWA authorization of construction funds (prior to advertising for construction). The sponsor should be aware that some enhancement projects have been allowed categorical exclusions or programmatic agreements in order to streamline the environmental process. Current guidance on categorical exclusions is available in Chapter 23. Guidance on programmatic Section 4(f) evaluations is provided in Section 26-2.

7. Engineering and Design. The Sponsor will contract for or provide the necessary services for engineering and design of the project, which will be subject to Department approval. All projects must be designed in accordance with appropriate Federal, State, and local criteria. Engineering for bicycle and pedestrian projects sponsored by a State agency will be according to established procedures for an IDOT letting. Selection of consultants for this work will be through an IDOT Professional Transportation Bulletin. BDE coordinates the implementation of engineering and construction phases, with assistance from the district as required with contract negotiation, Phase I review, Phase II plan and specification review, or other phases of work as appropriate or requested. The Bureau Chief of BDE will give Design Approval.

Historic preservation projects will be designed according to the criteria and guidelines presented in the publication *Secretary of the Interior's Standards for Historic Preservation Projects*. Engineering for historic preservation projects will be done in accordance with CDB procedures, with selection of consultants for this work also in accordance with CDB's selection process. District involvement with these projects is generally limited to coordination with FHWA for environmental determination or other appropriate coordination.

8. Contract Plans/Letting Process. For contract plans and letting process for IDOT let projects, see Chapter 63. For CDB let projects, refer to CDB procedures.
9. Construction and Maintenance. During the construction phase, the Sponsor is responsible for construction supervision and oversight. The Department, IDNR, or IHPA also may periodically inspect the project for contract compliance. Projects channeled through CDB follow CDB's established procedures for construction oversight. Change orders during construction, for all projects coordinated through the Department as well as CDB, require prior Department approval coordinated through BDE. The Sponsor also is responsible for proper maintenance for the life of the project.

**18-3.03 Funding Considerations**

ITEP follows rules established for Federal and State highway programs, such as the following:

1. Reimbursement of Costs. All approved costs of construction for State agency projects are eligible for up to 80% reimbursement, including preliminary engineering and construction supervision, provided these costs are *incurred after the date of Federal authorization*. The Sponsor cannot incur reimbursable project costs until after the project is approved for funding by IDOT and authorized by FHWA.
2. Use of Federal Funds for Matching Purposes. Federal highway program rules do not allow the use of other Federal transportation funds to match Federal transportation funds, including Transportation Enhancement Funds. The rules do allow other non-transportation Federal funds, such as National Park Service or Corps of Engineers funds, to be used as match.
3. Co-Mingling. Established activities of existing programs may be supplemented by ITEP funds. Different elements of a proposed project could be funded through ITEP as well as other programs (i.e., co-mingling).
4. Right-of-Way Costs. Since, 1998, the cost of purchasing property or rights-of-way is an eligible project cost and is eligible for reimbursement – at 50% reimbursement. The value of property cannot be considered as local match. Any right-of-way purchased in conjunction with project development must follow established Federal-Aid procedures. See the *Land Acquisition Manual*.
5. Contract Administration Options. Federal highway program rules dictate that project costs are paid as work is incurred and then reimbursed at the established percentage (up to 80%) by FHWA. If the project is advertised on an IDOT or a CDB letting, IDOT pays the Federal share of the contractor's interim bills and IDNR or IHPA pays their share directly to the contractor. If an agency's project funds are transferred to IDOT by agreement, IDOT can pay the contractor 100% and charge the agency's appropriation for the local share.
6. Cost Changes. For State agency projects, any requests for additional funding beyond that approved in the original published program - must be coordinated through BDE. Any increases in project cost should be approved by BDE and OPP prior to Design Approval and again prior to FHWA authorization. For local agency projects, requests for additional funding should be coordinated through the Bureau of Local Roads and Streets in the respective district offices. All cost increases will be capped at a maximum of 10 percent of the original grant that was approved.
7. Federal-Aid Day Labor. IDOT may allow a project to be constructed with agency forces using Federal-aid Day Labor procedures on a case-by-case basis.

8. Progress Monitoring. Throughout the process, IDOT will monitor obligation and expenditure of ITEP funds to ensure timely progress.
9. Contract Completion. IDOT will certify completion of the project.
10. Changes in Scope. Changes in scope and locations, subsequent to the original Application Approval for State-sponsored projects, will need to receive concurrence from BDE. BDE will determine whether the scope change also needs concurrence from OPP. For local agency projects, a change in scope must be coordinated through BLRS at each district office.
11. Construction Change Orders. For State agency projects, any change orders during construction must be coordinated through BDE. For local projects, coordinate change orders through BLRS at each district office.